

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA) CRIMINAL NO.04-CR10166(RGS)
)
)
)
V.)
)
)
DAVID CARL ARNDT)
AND)
DONALD BING MCGILVRAY)

JOINT MOTION TO CONTINUE STATUS HEARING

Now comes the Parties and move this Court to continue the Status Hearing in this matter from February 2, 2005 to February 14, 2005 and agree to exclude that period from the Speedy Trial Act time limits.

In support thereof :

1. Michael W. Reilly, attorney for the Defendant, Donald Bing McGilvray, is serving as a hearing officer on a board discipline matter at the Board of Bar Overseers on February 1, 2, and 3, 2005.

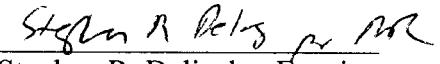
2. Co-Defendant, David Carl Arndt's Counsel, is not available until February 14, 2005.

3. Assistant US Attorney, Cynthia Lie, has agreed to this continuance.

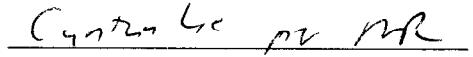
Respectfully submitted,
Defendant, Donald Bing McGilvray
By his attorney


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Respectfully submitted
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U.S. District Court


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Dated: 1/27/05

4211 jointmotion